

United States District Court
Eastern District of California

Jeffrey Marshall,

Plaintiff,

vs.

Solano County Sheriff, et al.,

Defendants.

No. Civ. S 04-1657 DFL PAN P

Order Governing Discovery

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Pursuant to Federal Rules of Civil Procedure 1, 16, and 26-36, the following provisions shall govern discovery in this action.

1. Discovery requests shall be served by the parties pursuant to Federal Rule of Civil Procedure 5 and Local Rule 5-135 and shall be filed only when required by Local Rules 30-250(a), 33-250(c), 34-250(c) and 36-250(c).

2. Responses to written discovery requests shall be due 45 days after the request is served.

3. Defendants may examine at deposition plaintiff or any prisoner provided that at least 14 days before such examination, defendants serve all parties with the notice required by Fed. R. Civ. P. 30(b)(1).

4. If disputes arise about the parties' discovery obligations, the parties shall comply with Rules 5, 7, 11, 26, and 37 of the Federal Rules of Civil Procedure and Rules 5-134, 5-135, 6-136, 7-130, 7-131, 7-132, 11-110, 43-140, and 78-230(m) of the Local Rules of Practice for the United States District Court, Eastern District of California. Unless otherwise ordered, Local Rule 37-251 shall not apply.

5. Filing a discovery motion that does not comply with all applicable rules may result in imposition of sanctions including but not limited to denial of the motion.

So ordered.

Dated: December 8, 2005.

/s/ Peter A. Nowinski

PETER A. NOWINSKI

Magistrate Judge